

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Muneef Halawa	Team: Squad #14	CCRB Case #: 201801618	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 02/22/2018 4:35 PM	Location of Incident: Tysens Lane and Hylan Boulevard	Precinct: 122	18 Mo. SOL 8/22/2019	EO SOL 8/22/2019	
Date/Time CV Reported Mon, 02/26/2018 8:19 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Mon, 02/26/2018 8:19 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Michael Deljudice	06538	960439	122 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Michael Deljudice	Discourtesy: Police Officer Michael Deljudice acted discourteously toward § 87(2)(b)	

### Case Summary

On February 16, 2018, § 87(2)(b) called the CCRB and filed this complaint.

On February 22, 2018, at approximately 4:35 pm, § 87(2)(b)'s vehicle was stopped by PO Deljudice of the 122<sup>nd</sup> Precinct in the vicinity of Tysens Lane and Hylan Boulevard in Staten Island. PO Deljudice issued § 87(2)(b) a summons for § 87(2)(b) (Board Review 06) and allegedly threw the summons and § 87(2)(b)'s license and registration at § 87(2)(b) (**Allegation A: Discourtesy**, § 87(2)(g) [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

There is no video evidence in this case.

### Finding and Recommendations

#### **Allegation (A): Discourtesy: PO Deljudice acted discourteously to § 87(2)(b)**

It is undisputed that PO Deljudice issued a summons to § 87(2)(b) for § 87(2)(b), which § 87(2)(b) disputed. It is also undisputed that § 87(2)(b) argued with PO Deljudice and refused to accept the summons and his license and registration when PO Deljudice tried to hand the documents to him.

§ 87(2)(b) (Board Review 01) stated that approximately 10 minutes into the incident, PO Deljudice outstretched his forearm while holding the summons, license and registration in an attempt to hand the documents to § 87(2)(b). § 87(2)(b) did not move his hands or do anything to accept the documents because he wished to converse further with PO Deljudice about the reason his vehicle was stopped. § 87(2)(b) acknowledged speaking in a loud manner and said he accused PO Deljudice of lying about him committing the alleged violation. PO Deljudice allegedly threw the summons, license, and registration in § 87(2)(b)'s face and returned to his vehicle.

PO Deljudice (Board Review 02) stated that he outstretched his forearm while holding the summons, license, and registration for about 30 seconds, but § 87(2)(b) refused to take the documents. § 87(2)(b) was screaming and calling PO Deljudice a liar. PO Deljudice placed the summons, license, and registration on the dashboard of § 87(2)(b)'s vehicle because § 87(2)(b) refused to accept the documents from him. PO Deljudice then returned to his vehicle and left the scene.

§ 87(2)(g)

### Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 03)
- PO Deljudice has been a member of service for two years and this is the first CCRB complaint to which he has been a subject.

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**Mediation, Civil, and Criminal Histories**

- § 87(2)(b) rejected mediation.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]  
[REDACTED]
- As of April 18, 2018, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (Board Review 05).

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Squad No.: 14

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date